



U.S. Army Corps
of Engineers
Pittsburgh District

Public Notice

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. 200300811

Date: June 8, 2004

Notice No. 04-25

Closing Date: July 8, 2004

1. **TO ALL WHOM IT MAY CONCERN:** The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. **APPLICANT:** Consumers Ohio Water Company
6650 South Avenue
Youngstown, OH 44512

AGENT: Gannett Fleming Engineers & Architects, P.C.
Suite 350
4151 Executive Parkway
Westerville, OH 43081

3. **LOCATION:** Lake Hamilton on Yellow Creek in Mahoning County, Ohio.

4. **PURPOSE AND DESCRIPTION OF WORK:** The applicant proposes to repair deficiencies in Lake Hamilton Dam to satisfy Ohio Department of Natural Resources (ODNR) dam safety requirements. Completion of repairs has been ordered by the year 2005. Failure to bring the dam into compliance with minimum dam safety standards would ultimately necessitate breaching of the dam. The rehabilitation project would entail the following: (1) Construction of a new emergency spillway through the north ridge (the majority of the cliff face and the stream channel of Yellow Creek are not expected to be disrupted by construction activities); (2) raising of any low topographic areas on the north and south ridge profiles to contain the reservoir during significant flood events and, if necessary, raising of the crest of the masonry dam to adequately contain the flood pool stipulated by the ODNR; (3) buttressing embankment downstream of the masonry dam; (4) installation of post-tensioned anchors on the crest of the masonry dam; (5) installation of seepage collection and channel armoring at the south ridge; (6) repair of the lower weir; (7) repair or installation of lake drain.

The proposed construction activities will result in minimal fills within jurisdictional waters of the United State. The buttressing mattress will result in fills to seepage areas and minor drainage channels, temporary construction access fills will be required for the spillway repairs, and stabilization of slopes and banks within the project area will be constructed with rip-rap, grout and concrete.

All construction activity is expected to occur within the limits of the contractor work area indicated on Figure 1. A contractor laydown area used for manpower parking, temporary office trailer facilities, and staging of materials and equipment is designated within the grassy field along the north shore. It is anticipated that construction will be completed during a single construction season in the year 2004, at which time the laydown area and access road would be restored to the pre-construction condition. Figures 1-6 depicting the proposed project are attached to this notice.

5. WATER QUALITY CERTIFICATION: The proposed fills met the criteria for Federal Section 404 authorization and State Section 401 Water Quality Certification under Nationwide Permits Nos. 3, 13, and 33, and therefore individual Section 401 Water Quality certification is not required. The Ohio Environmental Protection agency was notified of the proposed activity through a Pre-construction Notification and had no comment on the proposed fills.

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This Public Notice serves as a request to the U. S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

7. IMPACT ON CULTURAL RESOURCES: The National Register of Historic Places has been consulted, and it has been determined that there are two designated historical sites in the project work area, namely Lake Hamilton Dam and the Hopewell Iron Furnace Site. The furnace remnants are located midway down the hillside as shown on Figures 1 and 2. The stone wall and hearth remnants lie southeast of the existing treatment building and will not be disrupted by the proposed construction. A 9-acre historical site is designated by the National Register to include all of the dam and outlet facilities, the upper portion of Yellow Creek gorge, the entire north ridge, and a portion of Hamilton Lake.

Hamilton Dam is significant because of the engineering that was involved in its construction and its ashlar stone masonry construction. It was designed in 1904 and completed in 1907 to create a reservoir that was utilized as an industrial water supply. The reservoir is currently used for local recreational purposes.

The proposed activities are intended to preserve the structural integrity of the dam, bringing it up to current safety standards as required by the Ohio Department of Natural Resources. Failure to improve the safety conditions of this structure would result in a requirement for it to be breached, removing the upstream impoundment. While the restoration measures appear to have an adverse impact on the historical significance of the structure, failure to take corrective measures would result in a public safety hazard and potential failure of the structure.

This Public Notice is being circulated to solicit public comments from all known interested parties on the proposed impacts to the historic structure, including the State Historic Preservation Office and The Advisory Council on Historic Preservation to determine if further consultation is needed under the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

8. **PUBLIC INVOLVEMENT:** Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

9. **EVALUATION:** Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

10. **RESPONSES:** A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination. Any objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. All responses to this notice should be directed to the Regulatory Branch, attn Linda Malsch, at the above address, by telephoning

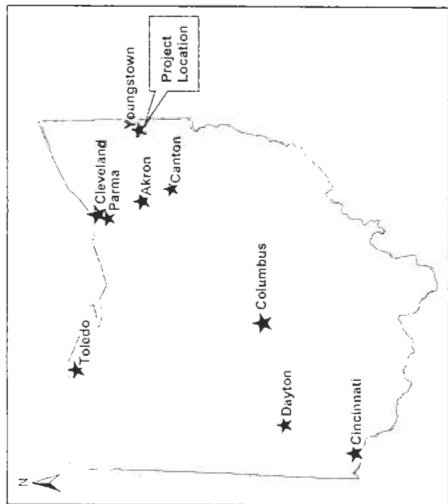
CELRP-OR-F
Public Notice No. 04-25

(412) 395-7157, or by e-mail at linda.m.malsch@usace.army.mil. Please refer to CELRP-OR-F 200300811 in all responses.

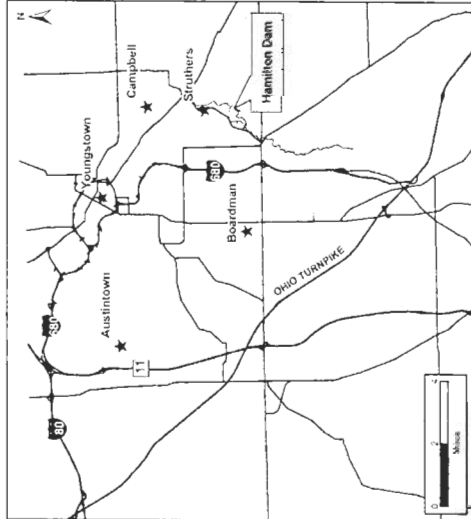
FOR THE DISTRICT ENGINEER:

A handwritten signature in black ink, appearing to read "Scott A. Hans". The signature is fluid and cursive, with the first name "Scott" being more prominent.

Scott A. Hans
Acting Chief, Regulatory Branch

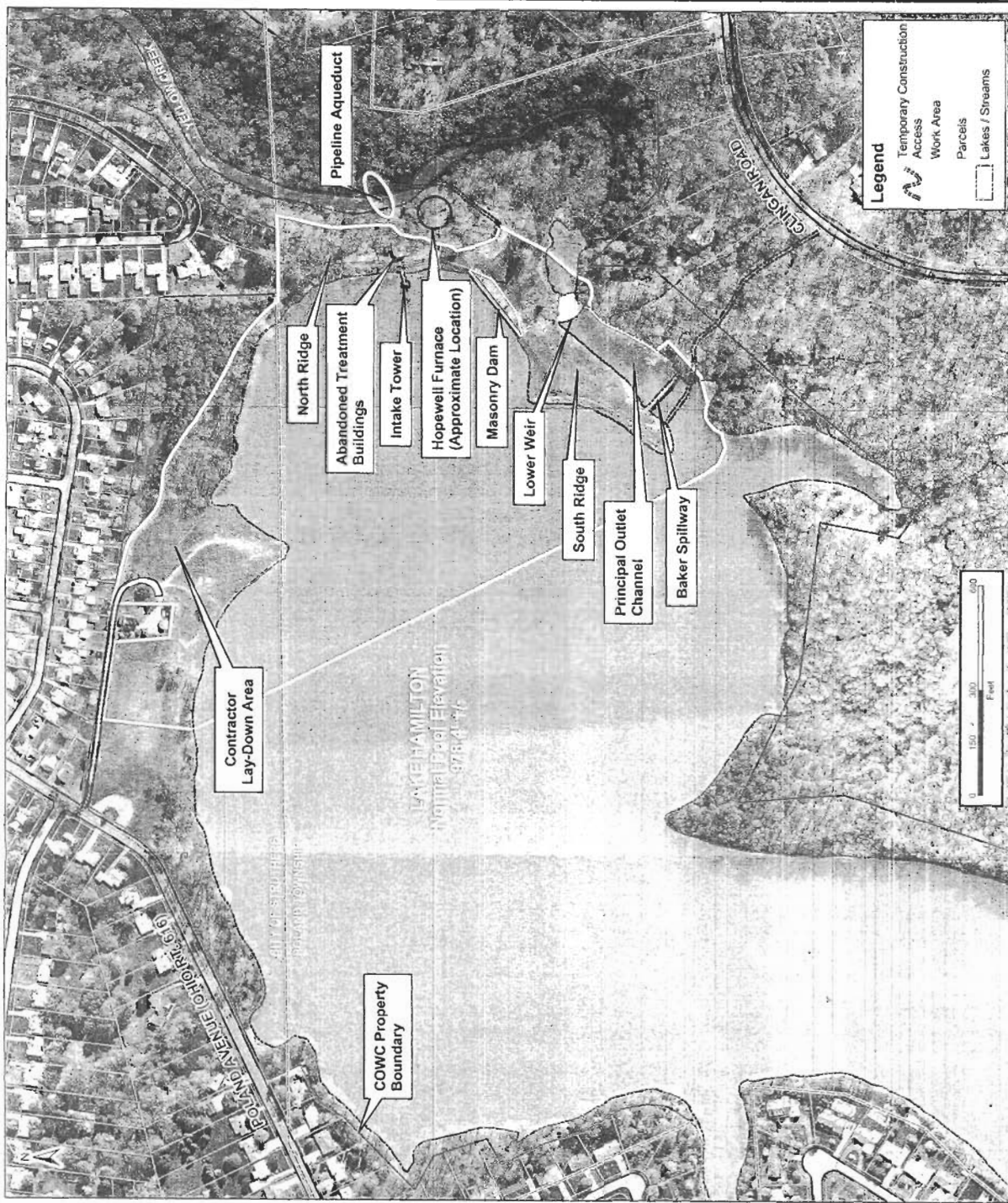


LOCATION MAP



AREA MAP (Scale 1" = 4 miles)

Mapping Source:
Mahoning County GIS Dept.



Gannett Fleming CONSULTING CIVIL ENGINEERS 10000 W. 10th Ave., Suite 100 Lakewood, CO 80226		PROJECT LAKE HAMILTON DAM	
DATE NOVEMBER 2000	SCALE AS SHOWN	DESIGNED BY JLS	CHECKED BY BJE
PROJECT NO. 41335	DATE NOVEMBER 2000	PROJECT NO. 41335	DATE NOVEMBER 2000
LEGEND Temporary Construction Access Work Area Parcels Lakes / Streams		LEGEND Temporary Construction Access Work Area Parcels Lakes / Streams	

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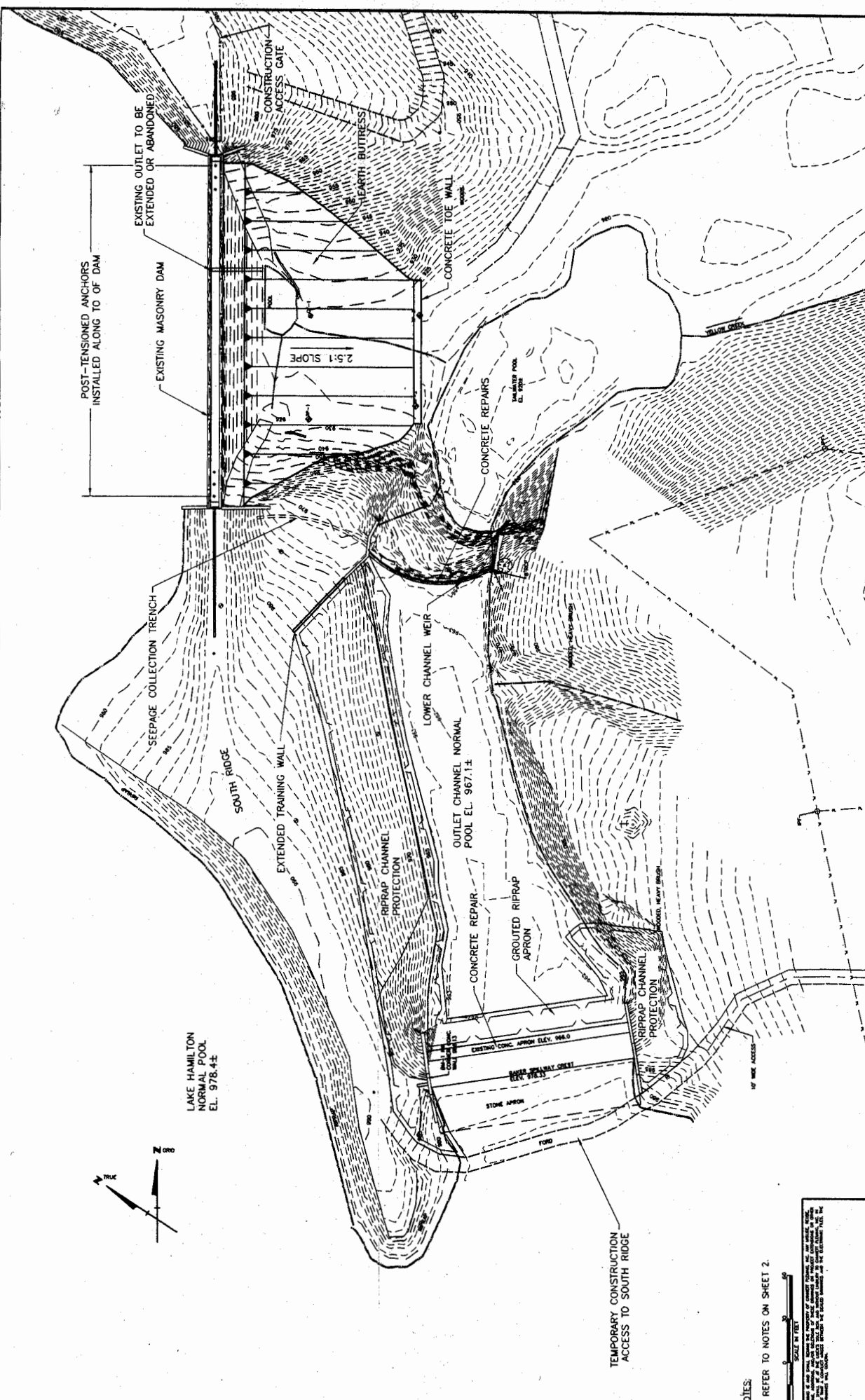


LEGEND:
[Symbol] PHOTOGRAPHIC VIEW

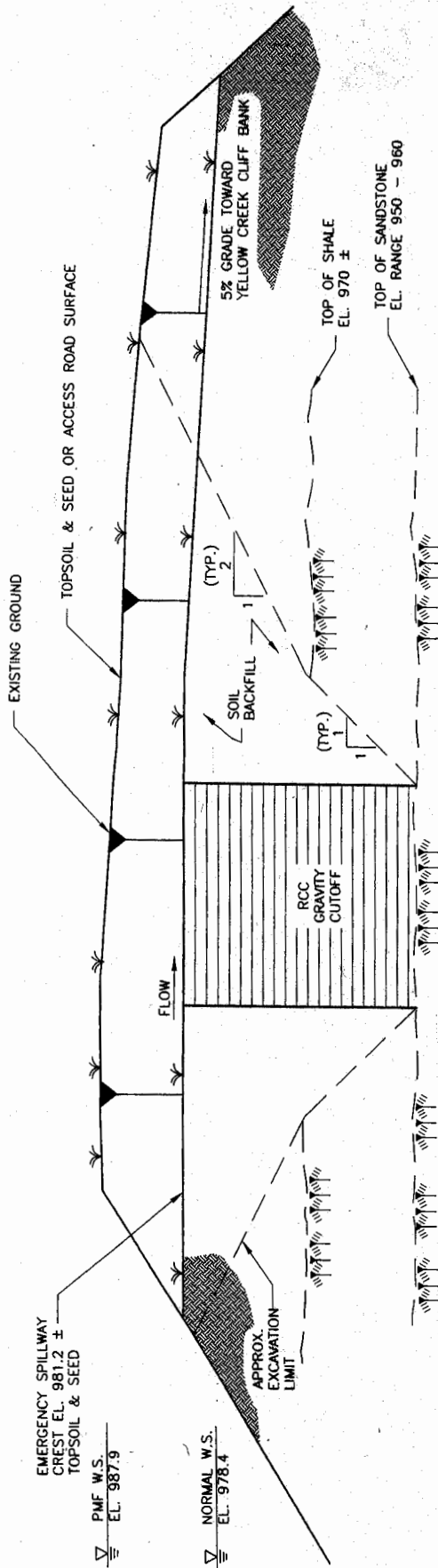
NOTES:
1. REFER TO NOTES ON SHEET 2.

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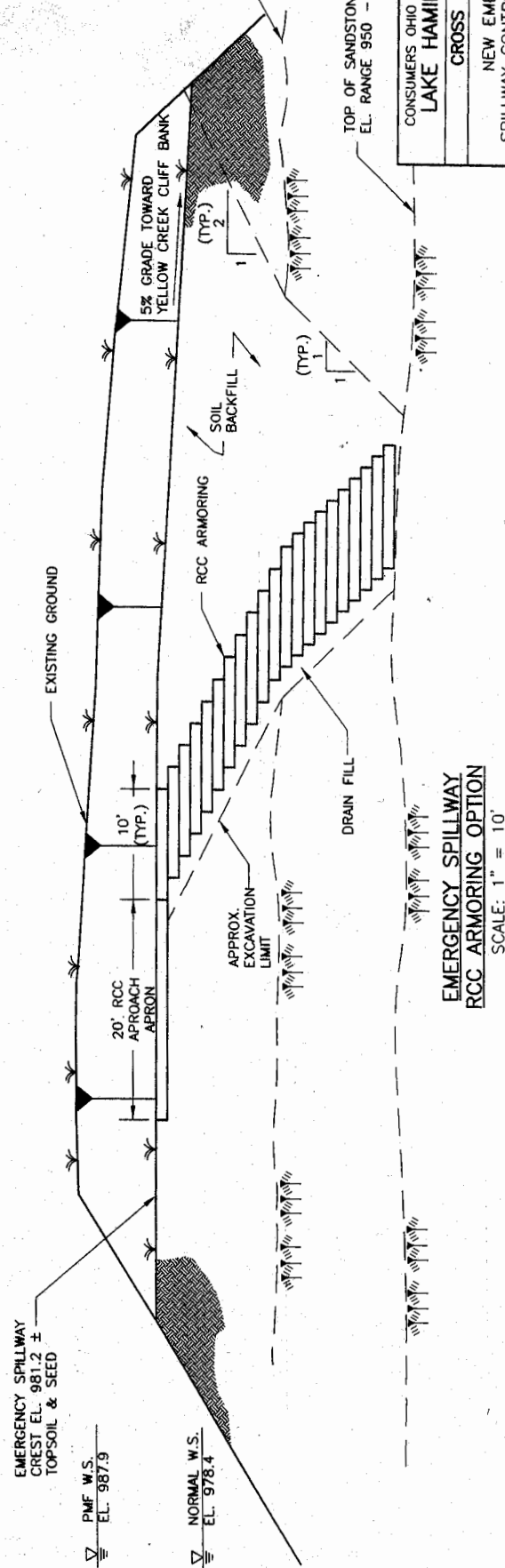
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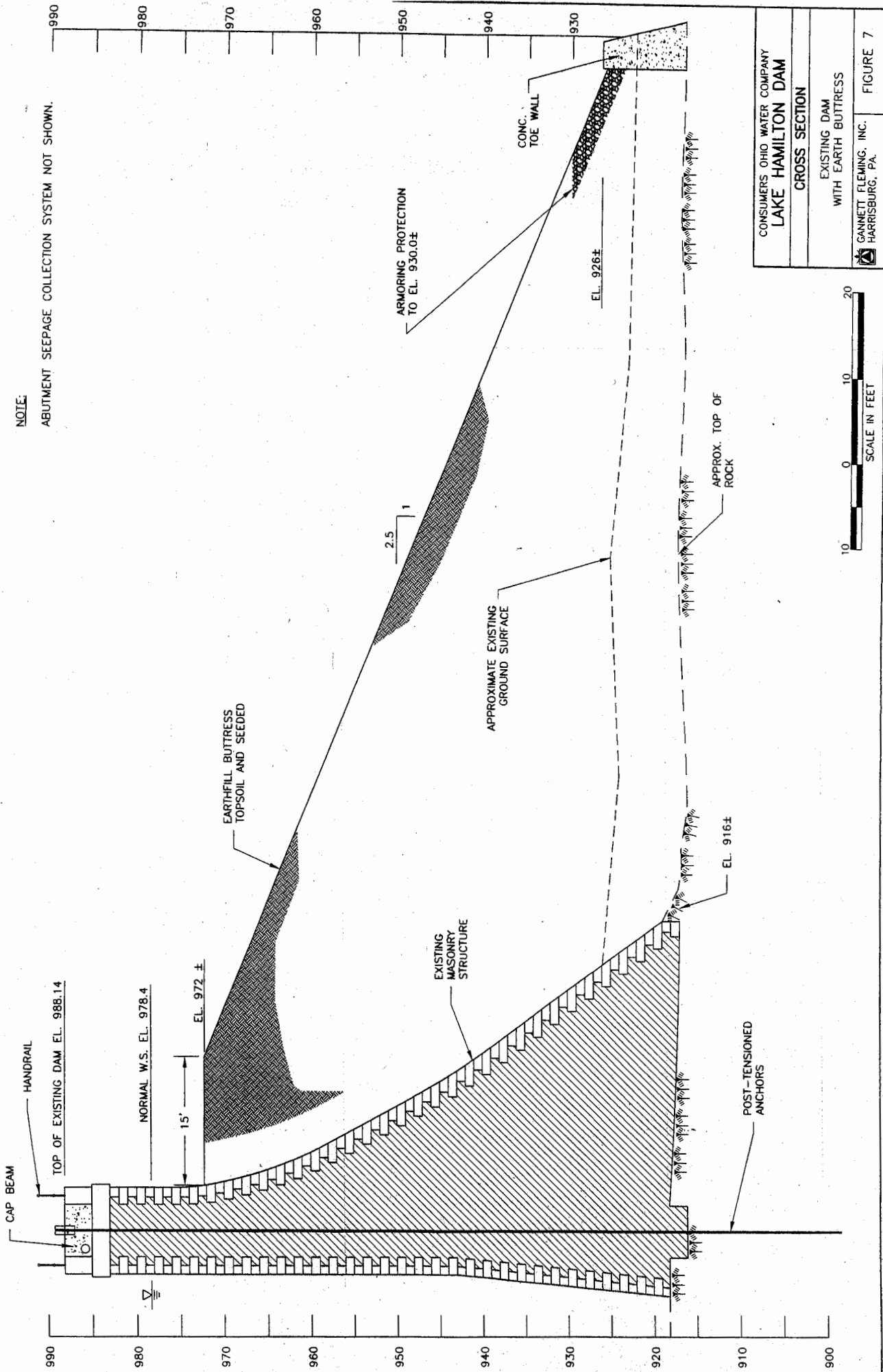
EMERGENCY SPILLWAY
RCC CONTROL SILL OPTION
SCALE: 1" = 10'



CONSUMERS OHIO WATER COMPANY	CROSS SECTION	FIGURE 6
LAKE HAMILTON DAM		
NEW EMERGENCY SPILLWAY CONTROL SILL OPTIONS		
GANNETT FLEMING, INC.		
HARRISBURG, PA.		

NOTE:

ABUTMENT SEEPAGE COLLECTION SYSTEM NOT SHOWN.



CONSUMERS OHIO WATER COMPANY
LAKE HAMILTON DAM

CROSS SECTION

EXISTING DAM
WITH EARTH BUTTRESS

GANNETT FLEMING, INC.
HARRISBURG, PA.

FIGURE 7

